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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CLARENCE MADDOX
CLERK, USDC / SDFL / MIA

SECURITIES AND EXCHANGE COMMISSION

04-80841

Plaintiff,

JURY TRIAL DEMANDED

v.

CONVERGE GLOBAL, INC., TELEWRX, INC.,
MICHAEL P. BROWN,
JONATHAN G. FINK, and
KEITH B. LAGGOS

CIV-MIDDLEBROOKS

Civil Action No. _____

Defendants.

MAGISTRATE JUDGE
JOHNSON

COMPLAINT

Plaintiff Securities and Exchange Commission ("Commission"), for its Complaint,
alleges as follows:

SUMMARY

1. Defendant Converge Global, Inc. (Converge), a Florida-based company, and its subsidiary, Defendant TeleWrx, Inc. (TeleWrx), engaged in a scheme to defraud purchasers of Converge's over-the-counter Bulletin Board stock by issuing a false press release on June 24, 2002 stating that TeleWrx raised "over \$1 million" as a result of its recent weekend "national launch." Defendant Michael P. Brown (Brown), Converge's CEO, and Defendant Jonathan G. Fink (Fink), a purported "consultant" to TeleWrx, drafted and disseminated the false June 24 press release. In addition, in June and July 2002, Defendant Keith B. Laggos (Laggos) illicitly touted TeleWrx in two positive press releases issued, and in one article published by, Money Maker's Monthly, a magazine he owns and publishes, without disclosing that he had been compensated for issuing them.

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2. In addition to the above-mentioned press releases, between approximately April and July 2002, Converge and/or TeleWrx issued at least a dozen more press releases, many of which appeared to cause Converge's trading volume to increase dramatically.

3. By engaging in the acts and practices alleged in this Complaint, Defendants Converge, TeleWrx, Brown, Fink and Laggos violated the federal securities laws. Specifically, Defendants Converge, TeleWrx, Brown and Fink violated Section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder, and Defendant Laggos violated Section 17(b) of the Securities Act of 1933.

4. Unless enjoined, the Defendants are likely to commit such violations in the future. Accordingly, the Commission seeks: (i) entry of permanent injunctions prohibiting Defendants from further violations of the relevant provisions of the federal securities laws; (ii) civil monetary penalties against all of the Defendants; (iii) disgorgement of ill-gotten gains by Defendant Laggos; (iv) penny stock bars against Brown, Fink and Laggos; and (v) an officer and director bar against Brown.

JURISDICTION

5. This Court has jurisdiction over this action pursuant to Section 22(a) of the Securities Act [15 U.S.C. Sec 77v(a)] and Section 27 of the Exchange Act [15 U.S.C. § 78aa] and certain of the transactions, acts, practices and courses of business alleged herein occurred within the Southern District of Florida.

6. Defendants, directly or indirectly, have made use of the means and instrumentalities of interstate commerce, or of the mails, in connection with the purchase or sale or in the offer or sale of securities and other transactions, acts, practices, and courses of business

alleged herein.

DEFENDANTS

7. Converge was founded as a Utah corporation in 1985 and maintains its principal place of business in Boca Raton, Florida. Converge is in the telecommunications business. Converge's stock traded on the over-the-counter Bulletin Board during the period at issue and until September 25, 2002, when its shares became ineligible to trade on the Bulletin Board as a result of Converge's failure to comply with the NASD's rule requiring issuers to timely file periodic reports with the Commission. Converge's stock then traded on the Pink Sheets until November 20, 2002, when the company voluntarily de-registered its common stock by filing a Form 15 with the Commission.

8. TeleWrx is a Florida corporation and operates from the same Boca Raton address as Converge. TeleWrx is a subsidiary of Converge.

9. Brown, age 37, of Boca Raton, Florida, is one of TeleWrx's founders, and has served as Converge's president, director and CEO since March 2002, and as its CFO since May 2002. Shareholder records indicate that Converge issued Brown 8,200,000 restricted shares of its common stock in approximately April 2002.

10. Fink, age 59, of Los Angeles, California, is an initial and founding shareholder of TeleWrx and is purportedly a consultant to Converge and/or TeleWrx. Shareholder records indicate that Converge and/or TeleWrx issued Fink 600,000 restricted shares of Converge common stock in approximately April 2002.

11. Laggos, age 52, of Homer Glen, Illinois, is the owner and publisher of Money Maker's Monthly, an Illinois-based magazine purportedly directed to the telemarketing industry.

Laggos also owns real property in Florida.

FACTS

12. On June 10, 2002, Laggos issued a press release through his magazine, Money Maker's Monthly, with the headline "Industry Benchmark Money Maker's Monthly Names TeleWrx, Inc. its Featured Company." The press release quoted Laggos as stating that "TeleWrx is destined for success with all the right components." Laggos received consideration from Converge and/or TeleWrx in connection with touting TeleWrx via the June 10 press release, and failed to disclose it.

13. On June 24, 2002, Converge and TeleWrx issued a materially false and misleading press release which claimed, in the release's headline, that "TeleWrx Inc. Weekend Launch Brings Opening Week Revenue Over \$1 Million." At the time that the June 24 release was issued, TeleWrx's "weekend launch" had brought in revenue of no more than approximately \$160,000. The release also misrepresented that "nearly 1,000 distributors" had signed up with TeleWrx "by Sunday evening [i.e., June 23.]" At the time that the June 24 release was issued, TeleWrx had signed up no more than approximately 400 distributors.

14. Brown and Fink drafted and disseminated the false June 24 press release on behalf of Converge and TeleWrx. Brown and Fink knew or recklessly disregarded that the June 24 press release was false because they each knew, or should have known, that TeleWrx had not raised over a million dollars and had not signed up nearly 1,000 distributors as of June 24, 2002.

15. On June 25, 2002, Laggos issued another press release through Money Maker's Monthly with the headline "TeleWrx Explosive Launch May Set New Records." Among other things, the release declared that "[m]any companies in network marketing often have explosive

growth. There have been companies in the network marketing industry that have reached a billion dollars faster than Microsoft. TeleWrx is destined to become one of these companies. TeleWrx will do over a million dollars of official business in its first week. By the end of the first year, it will be a surprise if TeleWrx is not operating at a hundred million dollar annual rate. In fact it is quite possible that TeleWrx will reach the billion dollar rate within the first three years.” Laggos received consideration from Converge and/or TeleWrx in connection with touting TeleWrx via the June 25 press release, and failed to disclose it.

16. In the July 2002 issue of Money Maker’s Monthly, Laggos published a multi-page article concerning, among other things, TeleWrx’s “innovative business plan,” its “great product offerings” and the “stellar group of people” involved with the company. Laggos received consideration from Converge and/or TeleWrx in connection with touting TeleWrx via the July 2002 Money Maker’s Monthly article, and failed to disclose it.

17. Converge and/or TeleWrx compensated Laggos for issuing the June 10 and June 25 press releases and for publishing the July 2002 article. The consideration was comprised of all or some of: (a) approximately 40,000 restricted Converge shares issued to Laggos in about May 2002, and/or (b) approximately \$45,000 cash sent via wire transfer from Converge and/or TeleWrx to Laggos between approximately mid-June and mid-July 2002.

18. In addition, on June 4, 2002, six days before issuing the June 10 press release, Laggos purchased approximately \$10,000 worth of Converge stock on the open market. Laggos failed to disclose his holding of Converge stock in the June 10 and June 25 press releases and in the July 2002 article.

19. On June 27, 2002, after being contacted by Commission counsel, Brown caused

Converge and TeleWrx to issue a press release admitting that the June 24 press release the companies had issued was “incorrect and misleading” and that the weekend launch had raised only \$160,000, instead of the \$1 million figure announced in the June 24 release.

20. Similarly, after being contacted by Commission counsel, on July 1, 2002, Brown caused Converge and TeleWrx to issue a press release admitting that the projections made by Money Maker’s Monthly in its June 25 press release were “grossly overstated, incorrect and misleading.”

21. On July 3, 2002, after being contacted by Commission counsel, Laggos issued a press release through Money Maker’s Monthly admitting that actual first-week sales by TeleWrx “did not set any records,” as the magazine had previously announced on June 25, 2002.

22. In addition to the above-mentioned press releases, between approximately April and July 2002, Converge and/or TeleWrx issued at least a dozen other press releases, many of which appeared to cause Converge's trading volume to increase dramatically. For example, after a press release issued by Converge on May 30, 2002, Converge’s share volume increased from 8,500 shares traded on May 29 to 46,000 shares traded on May 30 and to 71,300 shares traded on May 31. After a press release issued by Converge on June 3, 2002, the next trading day, Converge’s share volume again increased to 340,000 shares traded that day. Similarly, following a press release issued by Converge on June 19, 2002, Converge’s share volume increased to 561,500 shares traded that day, from the previous trading day total of 162,400 shares traded.

23. By knowingly or recklessly engaging in the fraudulent conduct described above, Defendants Converge, TeleWrx, Brown and Fink violated Section 10(b) of the Securities Exchange Act of 1934 (“Exchange Act”)[15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17

C.F.R. § 240.10b-5].

24. By knowingly or recklessly engaging in the conduct described above, Defendant Laggos violated Section 17(b) of the Securities Act of 1933 (“Securities Act”) [15 U.S.C. § 77q(b)].

25. Defendants’ violations involved fraud, deceit or deliberate or reckless disregard of regulatory requirements, and have resulted in substantial losses or significant risk of substantial losses to other persons.

FIRST CLAIM

Fraud in Connection with the Purchase or Sale of Securities [Violations of Section 10(b) of the Exchange Act and Rule 10b-5 thereunder by Defendants Converge, TeleWrx, Brown and Fink]

26. The Commission repeats and incorporates by reference the allegations in paragraphs 1-25 of the Complaint as if set forth fully herein.

27. Defendants directly or indirectly, acting intentionally, knowingly or recklessly, by use of the means or instrumentalities of interstate commerce or of the mails, in connection with the purchase or sale of securities: (a) employed devices, schemes or artifices to defraud; (b) made untrue statements of material fact or omitted to state a material fact necessary to make the statements made, in light of the circumstances under which they were made, not misleading; or (c) engaged in acts, practices or courses of business which operated as a fraud or deceit upon certain persons, as set forth above, in violation of Section 10(b) of the Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5[17 C.F.R. § 240.10b-5] thereunder.

28. As a result, defendants violated and, unless enjoined, will continue to violate

Section 10(b) of the Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder.

29. Defendants' conduct involved fraud, deceit, or deliberate or reckless disregard of regulatory requirements, and resulted in substantial loss or significant risk of substantial loss to other persons, within the meaning of Section 21(d)(3) of the Exchange Act [15 U.S.C. §78(u)(3)]. Therefore, Defendants are subject to imposition of significant civil penalties.

SECOND CLAIM

Fraud in the Touting of Securities [Violations of 17(b) of the Securities Act by Defendant Laggos]

30. The Commission repeats and incorporates by reference the allegations in paragraphs 1-25 of the Complaint as if set forth fully herein.

31. Defendant directly or indirectly, acting intentionally, knowingly or recklessly, by the use of any means or instruments of transportation or communication in interstate commerce or by use of the mails, to publish, give publicity to, or circulate any notice, circular, advertisement, newspaper, article, letter, investment service, or communication which, though not purporting to offer a security for sale, describes such security for a consideration received or to be received, directly or indirectly, from an issuer, underwriter, or dealer, without fully disclosing the receipt, whether past or prospective, of such consideration and the amount thereof, in violation of Section 17(b) of the Securities Act [15 U.S.C. § 77q(b)].

32. As a result, defendant violated and, unless enjoined, will continue to violate Section 17(b) of the Securities Act [15 U.S.C. § 77q(b)].

33. Defendant's conduct involved fraud, deceit, or deliberate or reckless disregard of

regulatory requirements, and resulted in substantial loss or significant risk of substantial loss to other persons, within the meaning of Section 20(d) of the Securities Act [15 U.S.C. §77t(d)]. Therefore, Defendant Laggos is subject to imposition of significant civil penalties.

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests that this Court issue a final judgment:

I.

Permanently enjoining Defendants Converge, TeleWrx, Brown and Fink from violating, directly or indirectly, Section 10(b) of the Exchange Act [15 U.S.C. § 78j(b)] and Rule 10b-5 [17 C.F.R. § 220.10b-5] thereunder.

II.

Permanently enjoining Defendant Laggos from violating, directly or indirectly, Section 17(b) of the Securities Act [15 U.S.C. § 77q(b)].

III.

Barring, pursuant to Section 20(e) of the Securities Act [15 U.S.C. § 77t(e)] and Section 21(d)(2) of the Exchange Act [15 U.S.C. § 78u(d)(2)], Defendant Brown from serving as an officer or director of any issuer that has a class of securities registered pursuant to Section 12 of the Exchange Act [15 U.S.C. §781].

IV.

Ordering Defendant Laggos to disgorge his ill-gotten gains, including prejudgment interest, with said monies to be distributed in accordance with a plan of distribution to be ordered by the Court.

V.

Ordering all Defendants to pay civil money penalties pursuant to Section 20(d) of the Securities Act [15 U.S.C. § 77t(d)] and Section 21(d)(3) of the Exchange Act [15 U.S.C. § 78u(d)(3)] in amounts to be determined by the Court.

VI.

Ordering a penny stock bar against Defendants Brown, Fink and Laggos, pursuant to the Court's equitable powers and/or Section 603 of the Sarbannes-Oxley Act of 2002 [15 U.S.C. § 77t(g)].

VII.

Order such other relief as the Court deems just and proper.

Respectfully submitted,



Walter G. Ricciardi
District Administrator

R. Daniel O'Connor
Senior Trial Counsel
(BBO # 634207)

Silvestre A. Fontes
Senior Trial Counsel
(BBO # 627971)

Attorneys for Plaintiff
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(617) 424-5940 fax

September 3, 2004

04-80841
COPY

JS 44
(Rev. 12/95)

CIVIL COVER SHEET

The JS-44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Securities and Exchange Commission

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

Silvestre A. Fontes 617-573-8991
US SEC, 73 Tremont St., Boston, MA 02108

DEFENDANTS

Converge Global, Inc., Telewrx Inc.,
Michael P. Brown, Jonathan F. Fink, and
Keith J. Laggos

CIVIL-MIDDLE DISTRICT
COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Palm Beach County
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

ATTORNEYS (IF KNOWN)
MAGISTRATE JUDGE
JOHNSON

(d) CIRCLE COUNTY WHERE ACTION AROSE: DADE, MONROE, BROWARD, PALM BEACH, MARTIN, ST LUCIE, INDIAN RIVER, OKEECHOBEE HIGHLANDS

II. BASIS OF JURISDICTION (PLACE AN 'X' IN ONE BOX ONLY)

- 1 U.S. Government Plaintiff
- 2 U.S. Government Defendant
- 3 Federal Question (U.S. Government Not a Party)
- 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN 'X' IN ONE BOX FOR PLAINTIFF AND ONE FOR DEFENDANT)

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|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| | PTF | DEF | | PTF | DEF |
| Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in This State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

IV. ORIGIN (PLACE AN 'X' IN ONE BOX ONLY)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from another district (specify)
- 6 Multidistrict Litigation
- 7 Judge from Magistrate Judgment

V. NATURE OF SUIT (PLACE AN 'X' IN ONE BOX ONLY)

A CONTRACT	A TORTS	FORFEITURE/PENALTY	A BANKRUPTCY	A OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Motor Acc <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input checked="" type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders Suits <input type="checkbox"/> 180 Other Contract <input type="checkbox"/> 195 Contract Product Liability	PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY <input type="checkbox"/> 362 Personal Injury - Med Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 RR & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 680 Other A LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt Relations <input type="checkbox"/> 726 Labor/Mgmt Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input checked="" type="checkbox"/> 791 Empl Ret Inc Security Act	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 422 Writ/Order 28 USC 157 A PROPERTY RIGHTS <input type="checkbox"/> 620 Copyrights <input type="checkbox"/> 630 Patent <input type="checkbox"/> 640 Trademark	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Arrest <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/Act <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input checked="" type="checkbox"/> 610 Selective Service <input checked="" type="checkbox"/> 615 Securities/Commodities/Exchange <input type="checkbox"/> 675 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 895 Environmental Matters <input type="checkbox"/> 896 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 899 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes <input type="checkbox"/> 990 Other Statutory Actions A OR B
A REAL PROPERTY	A CIVIL RIGHTS	PRISONER PETITIONS	B SOCIAL SECURITY	FEDERAL TAX SUITS
<input type="checkbox"/> 210 Land Condemnation <input checked="" type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 280 All Other Real Property	<input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 444 Wetlands <input type="checkbox"/> 448 Other Civil Rights	<input type="checkbox"/> 510 Motions to Vacate Sentence HABEAS CORPUS: <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition	<input type="checkbox"/> 861 HIA (1985ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DMC/DMM (405(g)) <input type="checkbox"/> 864 SSD Title XVI <input type="checkbox"/> 865 RSI (405(g))	<input checked="" type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input checked="" type="checkbox"/> 871 IRS - Third Party 28 USC 7609

VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE. DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

15 USC 78j (b); 17 CFR 220.10b-5; 15 USC 77q (b)

LENGTH OF TRIAL
via ___ days estimated (for both sides to try entire case)

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMAND \$ CHECK YES only if demanded in complaint JURY DEMAND: YES NO

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE DOCKET NUMBER

DATE 9/2/04 SIGNATURE OF ATTORNEY OF RECORD *Silvestre A. Fontes*

FOR OFFICE USE ONLY RECEIPT # AMOUNT APPLYING F/P JUDGE MAG JUDGE

JS 44
(Rev. 12/96)

CIVIL COVER SHEET

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I. (a) PLAINTIFFS Securities and Exchange Commission (b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF _____ (EXCEPT IN U.S. PLAINTIFF CASES) (c) ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER) Silvestre A. Fontes 617-573-8991 US SEC, 73 Tremont St., Boston, MA 02108	DEFENDANTS Converge Global, Inc., Telewrx Inc., Michael P. Brown, Jonathan F. Fink, and Keith B. Laggos COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT <u>Palm Beach County</u> (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.
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(d) CIRCLE COUNTY WHERE ACTION AROSE: DADE, MONROE, BROWARD, PALM BEACH, MARTIN, ST. LUCIE, INDIAN RIVER, OKEECHOBEE HIGHLANDS

II. BASIS OF JURISDICTION (PLACE AN "X" IN ONE BOX ONLY) <input checked="" type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 2 U.S. Government Defendant <input type="checkbox"/> 3 Federal Question (U.S. Government Not a Party) <input type="checkbox"/> 4 Diversity (Indicate Citizenship of Parties in Item III)	III. CITIZENSHIP OF PRINCIPAL PARTIES (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT) (For Diversity Cases Only) <table style="width:100%; border: none;"> <tr> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> <td></td> <td style="text-align: center;">PTF</td> <td style="text-align: center;">DEF</td> </tr> <tr> <td>Citizen of This State</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> </tr> </table>		PTF	DEF		PTF	DEF	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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IV. ORIGIN (PLACE AN "X" IN ONE BOX ONLY)

<input checked="" type="checkbox"/> 1 Original Proceeding	<input type="checkbox"/> 2 Removed from State Court	<input type="checkbox"/> 3 Remanded from Appellate Court	<input type="checkbox"/> 4 Reinstated or Reopened	<input type="checkbox"/> 5 Transferred from another district (specify)	<input type="checkbox"/> 6 Multidistrict Litigation	<input type="checkbox"/> 7 Appeal to District Judge from Magistrate Judgment
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V. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

A CONTRACT <input type="checkbox"/> 116 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 190 Stockholders Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability	A TORTS PERSONAL INJURY <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury PERSONAL INJURY - Med Malpractice <input type="checkbox"/> 362 Personal Injury - Med Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	FORFEITURE/PENALTY <input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R R & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other A LABOR <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor Mgmt Relations <input type="checkbox"/> 730 Labor/Mgmt Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl Ret Inc Security Act	A BANKRUPTCY <input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 A PROPERTY RIGHTS <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark B SOCIAL SECURITY <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC DWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) FEDERAL TAX SUITS <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	A OTHER STATUTES <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce/ICC Rates/etc <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 899 Constitutionality of State Statutes <input type="checkbox"/> 899 Other Statutory Actions A OR B
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VI. CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE BRIEF STATEMENT OF CAUSE DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

15 USC 78j(b); 17 CFR 220.10b-5; 15 USC 77q(b)

LENGTH OF TRIAL
via _____ days estimated (for both sides to try entire case)

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 **DEMAND \$** _____ CHECK YES only if demanded in complaint: **JURY DEMAND:** YES NO

VIII. RELATED CASE(S) IF ANY (See instructions): JUDGE _____ DOCKET NUMBER _____

DATE 9/2/04 SIGNATURE OF ATTORNEY OF RECORD 

FOR OFFICE USE ONLY
RECEIPT # _____ AMOUNT _____ APPLYING IFP _____ JUDGE _____ MAG JUDGE _____